

REMARKS

Claims 1-3 and 5-8 were pending in this application and are now canceled. New claims 9-19 are added. No new matter is being added.

The Examiner rejected the previously pending claims as obvious in view of the GSI System installed in the River City riverboat casino in New Orleans, combined with Remedio and the background section of the application.

Claims 9-19 are patentable over the above references.

Claim 9 recites:

A computer-implemented method for tracking patronage of a plurality of customers at a plurality of casino properties, the method comprising:

- maintaining a first account associated with a customer at a first casino property;
- collecting betting activity associated with the customer's gaming activity at the first casino property;
- updating the first account to reflect comps awarded to the customer based on the collected betting activity;
- identifying the customer at a second casino property;
- responsive to identifying the customer at the second casino property, automatically retrieving customer account data maintained in the first account from the first casino property; and
- providing comps redemption to the customer at the second property.

Claim 9 describes a method in which a customer's account is maintained at a first casino property. As the customer games at the casino, his betting activity is collected and comps are awarded to his account based on that betting activity. When the customer travels to a second casino, he is identified, and his account data is automatically retrieved from the first casino, at which point the customer can redeem, at the second casino, the comps in his account.

None of the cited references disclose the features of claim 9, either alone or in combination. The GSI system has been described in previous papers by both Applicant and the Examiner. As described in the Crighton declaration, the

system in use in River City was designed to mirror account data between a first boat, a second boat, and at dockside. (See Crighton deposition, pp. 21-22). The Examiner argues that since accounts can be created or gaming activity can take place while the mirrored systems are disconnected from one another, there is a period of time where the data is not identical across all systems.

The GSI reference does not disclose the claimed feature of identifying a customer at a second casino, and, responsive to that identification, retrieving the customer's account data from a first casino. Indeed, since the GSI River City system mirrors data (when a connection is available), retrieving customer account data upon recognition of the customer at a different casino would be impossible—either a connection is in place and the databases are mirrored and there is no need to retrieve the account data from another casino, or a connection is not in place and therefore it is not possible to retrieve the account data from another casino. Thus, this element is not present in the River City system. Nor is the claimed feature of providing comps redemption at a second casino of comps earned at a first casino and stored in the customer's account at the first casino. Accordingly, the River City system alone does not anticipate claim 9.

The addition of the background section of the application does not cure these defects. The Examiner cites three paragraphs from the background section, specifically the last two paragraphs on page 1 and the first paragraph on page 2. Those paragraphs explain that conventional player tracking programs are uncoordinated, even among affiliated casinos: "Thus, customer tracking programs at affiliated properties remain fragmented, and conventional management practices provide little incentive to coordinate data accumulated by these tracking programs." Nothing in the background section discloses or makes obvious the invention of claim 9—rather, the background section explains the deficiencies of prior systems.

Finally, Remedio does not cure the defects of River City, or of the recited background. Remedio, for example, does not disclose the claimed limitation of "providing comps redemption to the customer at the second property" after a player has earned those comps at a first property (even if there were "comps" awarded by golf clubs, which Remedio does not suggest).

Accordingly, claim 9 is patentable over the cited references. Dependent claims 10-14 are patentable over the references because they recite patentable features of their own, and because they depend from a patentable independent claim.

Independent claims 15 and 18 are also patentable over the cited references. Claim 15, for example, recites awarding points at a first and second casino according to first and second weighting factors. There is no teaching or suggestion of such a feature in any of the cited references. Claim 18 recites offering comps to a customer based on a combination of betting activity at two different casinos, and limiting the location where the comp can be redeemed to be the second casino. None of the cited references teach or suggest these features.

Accordingly, claims 15 and 18, and their dependent claims 16-17 and 19, respectively, are patentable over the cited references.

The Examiner is invited to contact the undersigned attorney by telephone to discuss any outstanding matters requiring attention prior to allowance.

Respectfully submitted,
John Boushy

Date: January 10, 2008

By: /Daniel R. Brownstone 46,581/
Daniel R. Brownstone, Reg. No. 46,581
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel: (415) 875-2358
Fax: (415) 281-1350